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SUBJECT: DEPORTATION OF 54 HMONG TO LAOS

REF: STATE 186220

¶1. (SBU) Summary. Thai officials did not respond positively to reftel demarche expressing opposition to the possible deportation to Laos of a group of Hmong held in Thai detention in Nong Khai. UNHCR told the RTG that is also opposes deportation and warned of a formal protest and press reports if the RTG returns the Hmong to Laos. UNHCR obtained informal information from an RTG source that the deportation took place on November 15 but MFA did not confirm the information. End summary.

¶2. (SBU) Per reftel, on November 14 Refcoord delivered demarche regarding the possible deportation of 54 Hmong in Thai custody at Nong Khai to RTG Ministry of Foreign Affairs Director Dusit Manapan. Dusit responded that the Lao government had raised the issue of the Hmong at Petchaboon during the recent visit of Thai interim PM Surayud. At that meeting, the two sides agreed that they would use the existing mechanism of the Thai-Lao Border Commission to address the Hmong issue. Following that meeting, the Lao government had agreed to take back the Nong Khai group. This was the first time, according to Dusit, that the Lao had agreed to do this. In response to Refcoord question regarding whether there was any Lao commitment that deportees would not be mistreated, Dusit said that he had told Thai Ministry of Interior and National Security Council officials that the safety of the deportees needed to be assured. Otherwise, Thailand could be held accountable. Dusit said he did not know if the Lao had made such a commitment.

¶3. (SBU) In a previously scheduled meeting with new Thai NSC chief Prakit Prachonpachanuk on November 13, Political Counselor raised the Hmong issue and U.S. opposition to any deportation of persons who may have legitimate refugee claims. While the RTG had a legitimate concern about protecting its borders, the earlier case of the deported 26 Hmong minors had shown that the Lao government could view deportees as criminals and mistreat them. The U.S. was very concerned about the group of Hmong at Nong Khai. Recalling the international community's response to the Hmong minors case, Political Counselor urged Prakit to keep the larger picture in mind.

¶4. (SBU) Prakit responded that Thailand has laws about illegal immigrants that the RTG must enforce. The RTG wanted to deter those who are thinking about entering Thailand illegally and was tightening its border controls. An NSC staff person also attending the meeting asked, "The Hmong keep coming. What can we do?"

¶5. (SBU) UNHCR acting Regional Representative Giuseppe de Vincentis told Refcoord on November 14 that UNHCR was aware of the possible deportation. He had contacted the Thai MFA

the same day and stated that the RTG had not granted access to UNHCR to interview the Hmong at Nong Khai. The RTG also apparently did not have a commitment from the Lao government not to mistreat deportees. De Vincentis said he told the MFA that the Lao government had not agreed to allow access in Laos by the international community to Hmong deported from Thailand. De Vincentis said he told MFA that UNHCR may make a formal protest and there could be media questions that UNHCR would answer forthrightly. De Vincentis noted that while the deportation of the Hmong minors was irregular, the planned deportation of the Hmong at Nong Khai was a formal bilateral arrangement between the Thai and Lao governments.

¶6. (SBU) De Vincentis told RefCoord that Thai NSC staff said on November 15 that the Hmong deportation was scheduled for the same day but did not know if it had occurred. Radio Free Asia is reporting that the deportation did happen. While UNHCR was not able to get official confirmation from the MFA that the deportation occurred, it did get informal confirmation from another agency in the Thai government. MFA did not return RefCoord telephone calls on this issue.  
BOYCE